

# BEST AVAILABLE COPY

FROM BAKERBOTTSLLP

~~BAKER BOTTS LLP~~

Fax receipt will not be confirmed by phone unless requested.

(WED) 9. 1' 04 12:46/ST. 12:46/NO. 4260844091 P 1

910 LOUISIANA

BAKU

HOUSTON, TEXAS

DALLAS

77002-4995

HOUSTON

713.229.1234

LONDON

FAX 713.229.1522

MOSCOW

www.bakerbotts.com

NEW YORK

RIYADH

WASHINGTON

WASHINGON

FROM Andy Grubert  
DATE September 1, 2004  
PAGES 37 (including cover)

VOICE NO. 713.229.1964  
FAX NO. 713.229.7764  
RETURN TO Room 3511

TO T. Stokes  
United States Patent and Trademark Office  
Customer Service Center  
Initial Patent Examination Division

FAX NO. 703.746.6603  
VOICE NO. 703.308-1202

## MESSAGE:

Re: Application Serial No. 09/965,159

Pursuant to your recent request, attached please find the following:

1. Response to Notice to File Missing Parts (Transmittal, Petition for Extension of Time, Fee Transmittal, copy of check, **copy of date-stamped postcard**)
2. Declaration
3. Assignment
4. Response to Notice of Incomplete Reply (Transmittal, Fee Transmittal, Petition for Extension; English translation of specification).
5. Change of Correspondence address (**copy of date-stamped postcard**)

Please advise at your earliest convenience if additional documentation is needed. Thank you for your prompt attention to this matter.

Kim Hennessey, legal secretary to  
Andreas Grubert  
Baker Botts L.L.P.  
713-229-1964

### Notice of Confidentiality

The information contained in and transmitted with this facsimile is: 1. Subject to the Attorney-client Privilege; 2. Attorney Work Product; or 3. Confidential. It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is unauthorized and strictly prohibited. If you have received this facsimile in error, please notify Baker Botts L.L.P. by telephone at 713.229.1730 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail or, if authorization is granted by the sender, destroyed.

If you do not receive all pages, please call: 713.229.1730 or 713.229.1621 for assistance.

BILLING NO. 071308.00240

ATTORNEY/EMPLOYEE NO. 04760

CRITICAL DEADLINE, SEND BY ASAP

PAGE 1/37 \* RCVD AT 9/1/2004 1:43:11 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2/3 \* DNIS:7466603 \* CSID:7132291522 \* DURATION (mm:ss):08:48

**BAKER BOTTS LLP**Please type or sign (+) inside this box → **TRANSMITTAL  
FORM***(to be used for all correspondence after initial filing)*

Application Number	09/965,569 965,169
Filing Date	09/27/01
First Named Inventor	Martin Kiesel
Group Art Unit	To be determined
Examiner Name	To be determined

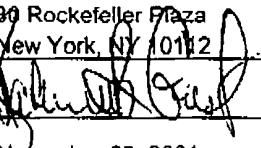
Total Number of Pages in This Submission

Attorney Docket Number A34646 071308.0240

**ENCLOSURES (check all that apply)**

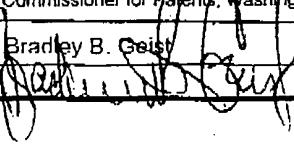
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks <input type="checkbox"/>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112
Signature	 At Name: Bradley B. Geist PTO Reg: 27,551
Date	November 29, 2001

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: November 29, 2001

Typed or printed name	Bradley B. Geist
Signature	
Date	November 29, 2001

FROM BAKERBOTTSLLP

(WED) 9. 1' 04 12:47/ST. 12:46/NO. 4260844091 P 4

**BAKER BOTTSLLP**

Attorney Docket Number: A34646 071308.0240

Title: DEVICE AND PROCESS FOR OPERATION OF AUTOMATION COMPONENTS

Use Space Below for Additional Information:

BAKER BOTTS LLP

# FEE TRANSMITTAL for FY 2001

*Patent fees are subject to annual revision.*

TOTAL AMOUNT OF PAYMENT (\$ 170)

## Complete if Known

Application Number	09/965,609-169
Filing Date	09/27/01
First Named Inventor	Martin Kiesel
Examiner Name	To be determined
Group Art Unit	To be determined
Attorney Docket No.	A34646 071308.0240

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **02-4377**  
 Deposit Account Name **Baker Botts LLP**

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee	Fee	Fee Description	Fee Paid
		\$740	\$370	Utility filing fee	
		\$330	\$165	Design filing fee	
		\$510	\$255	Plant filing fee	
		\$740	\$370	Reissue filing fee	
		\$160	\$80	Provisional filing fee	
SUBTOTAL (1) (\$ 0)					

## 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
		20 "	= 0	X = 0
		3 "	= 0	X = 0

Large Entity	Small Entity	Fee	Fee	Fee Description
		\$18	\$9	Claims in excess of 20
		\$84	\$42	Independent claims in excess of 3
		\$280	\$140	Multiple dependent claim, if not paid
		\$84	\$42	** Reissue independent claims over original patent
		\$18	\$9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0)				

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee	Fee Description	Fee Paid
		\$130	Surcharge - late filing fee or oath	130
		\$50	Surcharge - late provisional filing fee or cover sheet	
		\$130	Non-English specification	
		\$2,520	For filing a request for ex parte reexamination	
		\$920*	Requesting publication of SIR prior to Examiner action	
		\$1,840*	Requesting publication of SIR after Examiner action	
		\$110	Extension for reply within first month	
		\$400	Extension for reply within second month	
		\$920	Extension for reply within third month	
		\$1,140	Extension for reply within fourth month	
		\$1,960	Extension for reply within fifth month	
		\$320	Notice of Appeal	
		\$320	Filing a brief in support of an appeal	
		\$280	Request for oral hearing	
		\$1,510	Petition to institute a public use proceeding	
		\$110	Petition to revive - unavoidable	
		\$1,280	Petition to revive - unintentional	
		\$1,280	Utility issue fee (or reissue)	
		\$460	Design issue fee	
		\$620	Plant issue fee	
		\$130	Petitions to the Commissioner	
		\$50	Processing fee under 37 CFR 1.17(q)	
		\$180	Submission of Information Disclosure Stmt	
		\$40	Recording each patent assignment per property (times number of properties)	40
		\$740	Filing a submission after final rejection (37 CFR § 1.129(a))	
		\$740	For each additional invention to be examined (37 CFR § 1.129(b))	
		\$740	Request for Continued Examination (RCE)	
		\$900	Request for expedited examination of a design application	
Other fee (specify) _____				
SUBTOTAL (3) (\$ 170)				

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 170)

## SUBMITTED BY

Complete if Applicable

Name (Print/Type)	Bradley B. Geist	Registration No. (Attorney/Agent)	27,551	Telephone	212 408-2562
Signature		Date	November 29, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FROM BAKERBOTTSLLP

(WED) 9. 1'04 12:48/ST. 12:46/N0. 4260844091 P 6

**BAKER BOTTSLLP**

Attorney Docket Number: A34646 071308.0240

Title: DEVICE AND PROCESS FOR OPERATION OF AUTOMATION COMPONENTS

Use Space Below for Additional Information:

FROM BAKERBOTTSLLP

(WED) 9. 1' 04 12:48/ST. 12:46/NO. 4260844091 P 7

**BAKER BOTTS L.L.P.**

ATTORNEYS AT LAW

30 Rockefeller Plaza  
44th and 45th floors  
New York, New York 10112-0228

INQUIRIES: (212) 705-5000  
TAXPAYER I.D. #74-1195457

Invoice No.	Date	Voucher	Gross Amount	Discount	Net Amount
I0064924	11/21/2001	BBG 34646 tmeloyd LEX 875990	170.00	0.00	170.00
Check No.	166217	Check Date	11/21/2001	Vendor No.	11135
Vendor Name	COMMISSIONER OF PATENTS AND		Total Amount		170.00

Chase Bank, N.A.  
New York, New York

**BAKER BOTTS L.L.P.**  
ATTORNEYS AT LAW  
New York Operating Account

CHECK # 166217  
DATE 11/21/2001

1-2  
210

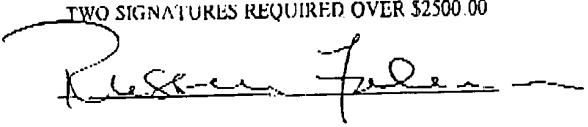
\$ \*\*\*\*\* \* 170.00

PAY ONE HUNDRED SEVENTY AND 00/100 Dollars

NOT NEGOTIABLE SIX MONTHS  
FROM THE DATE OF ISSUE

TWO SIGNATURES REQUIRED OVER \$2500.00

TO COMMISSIONER OF PATENTS AND  
THE TRADEMARKS  
ORDER  
OF



FROM BAKERBOTTSLLP

(WED) 9. 1' 04 12:48/ST. 12:46/NO. 4260844091 P 8

34646  
BAKER BOTTS L.L.P.

02 JAN 18 PM 1:03

TO

--	--	--

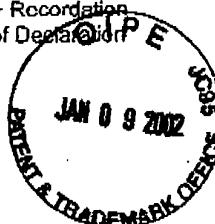
In Re: Kiesel et al. 09/965,669  
(Applicant) (Serial No.)  
In Re: \*Missing Parts 11/29/01 071308.0240  
A34646  
(Title of Paper) (Date) (File No.)

The stamp of the Patent Office Mail Room hereon acknowledges the receipt of the above-identified papers on the date indicated by such stamp.

\*Transmittal Sheet (+1 copy), German Declaration, Assignment + Recordation Cover Sheet, PTO Form and a check for \$170.00 to cover filing of Declaration and Recordation of Assignment.

BOX MISSING PARTS

NY02:358822.1



TIMELY RESPONSE

CHARGE FOR MAILING FOR AMENDMENT/REQUEST  
FOR EXTENSION OF TIME APPENDED TO THE END OF  
DOCUMENT FILED, EXECUTED BY ATTORNEY WITH  
STATED FIRST CLASS MAILING DATE OF 11/25/01  
SUCH BEING PRIOR TO THE EXPIRATION OF THE  
ALLOWED PERIOD

M. J. BAKER

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kiesel et al.  
Serial No. : 09/965,169 Examiner: t/b/a  
Filed : September 27, 2001 Group Art Unit: t/b/a  
For : DEVICE AND PROCESS FOR OPERATION OF  
AUTOMATION COMPONENTS

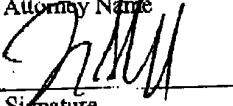
RESPONSE TO NOTICE OF INCOMPLETE REPLY

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Washington, D.C. 20231

July 23, 2002  
Date of Deposit

Louis S. Sorell

Attorney Name

  
Signature

32,439

PTO Registration No.

July 23, 2002  
Date of Signature

Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Reply mailed June 26, 2002 for the above-identified patent application, enclosed is an accurate English language translation of the German language application referenced above.

The fee of \$130.00 for the filing of this translation is enclosed.

NY02:396940.1

FROM BAKERBOTTSLLP

(WED) 9. 1'04 12:51/ST. 12:46/NO. 4260844091 P 18

A34646 (071308.0240)

PATENT

In view of the foregoing, examination of this application on the merits is respectfully requested.

Respectfully submitted,

  
\_\_\_\_\_  
Louis S. Sorell  
Patent Office Reg. No. 32,439

Attorney for Applicant  
(212) 408-2500

Enclosures

NY02:396940.1

**BAKER BOTTS LLP**Please type a plus sign (+) inside this box → **TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

		Application Number	09/965,169
		Filing Date	September 27, 2001
		First Named Inventor	Martin Kiesel
Total Number of Pages in This Submission		Group Art Unit	t/b/a
		Examiner Name	t/b/a
		Attorney Docket Number	A34646

**ENCLOSURES (check all that apply)**

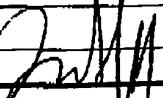
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Preliminary amendment, substitute specification, comparison
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks <input type="text"/>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112
Signature	At Name: Louis S. Sorell PTO Reg: 32,439
Date	July 23, 2002

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:  July 23, 2002

Typed or printed name	Louis S. Sorell
Signature	
	Date July 23, 2002

FROM BAKERBOTTSLLP

(WED) 9/1/04 12:51/ST. 12:46/NO. 4260844091 P 20

**BAKER BOTTSLLP**

Attorney Docket Number: A34646

Title:

DEVICE AND PROCESS FOR OPERATION OF AUTOMATION COMPONENTS

Use Space Below for Additional Information:

**BAKER BOTTS LLP**

# **FEE TRANSMITTAL for FY 2001**

*Patent fees are subject to annual revision.***TOTAL AMOUNT OF PAYMENT (\$)** **518****Complete if Known**

Application Number	09/965,169
Filing Date	September 27, 2001
First Named Inventor	Martin Kiesel
Examiner Name	t/b/a
Group Art Unit	t/b/a
Attorney Docket No.	A34846

**METHOD OF PAYMENT**

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **02-4377**Deposit Account Name **Baker Botts LLP** Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17 Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

 Check     Credit card     Money Order     Other**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	130
2,520	2,520	For filing a request for ex parte reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1,440	720	Extension for reply within fourth month	
1,980	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,280	840	Petition to revive - unintentional	
1,280	640	Utility issue fee (or reissue)	
460	230	Design issue fee	
620	310	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
740	370	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
740	370	Utility filing fee	
330	165	Design filing fee	
510	255	Plant filing fee	
740	370	Reissue filing fee	
160	80	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>		<b>0</b>	

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
26	20 ** = 6	X 18	= 108
Independent Claims	2	3 ** = 0	X 0 = 0
Multiple Dependent			280 = 280

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
18	9	Claims in excess of 20
84	42	Independent claims in excess of 3
280	140	Multiple dependent claim, if not paid
84	42	** Release independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		<b>388</b>

*\*or number previously paid, if greater; For Reissues, see above*

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** **130****Complete (if applicable)**

Name (Print/Type)	Louis S. Sorell	Registration No. (Attorney/Agent)	32,439	Telephone	(212) 408-2500
Signature				Date	July 23, 2002

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FROM BAKERBOTTSLLP

(WED) 9. 1' 04 12:52/ST. 12:46/NO. 4260844091 P 23

**BAKER BOTTSLLP**

Attorney Docket Number: A34646

Title: DEVICE AND PROCESS FOR OPERATION OF AUTOMATION COMPONENTS

Use Space Below for Additional Information:

FROM BAKERBOTTSLLP

(WED) 9. 1' 04 12:55/ST. 12:46/NO. 4260844091 P 37

Papers filed herewith on: 2/3/04  
DOCKET NO.: 071308-D-240  
ATTY/SEC.: Gruberg/Hanneney  
APPLICANT(S): Dilip  
USSN: 09/965,161 FILED: 9-27-01

PAT NO.: \_\_\_\_\_

- New Application with Transmittal Letter
- Utility    Design    CIP    Provisional
- Filing Under 37 CFR 1.53(b)    CONT    DIV
- Filing Under 37 CFR 1.114(RCE)
- Filing Under 37 CFR 1.53(d) (CPA)
- Specification Consisting of: \_\_\_\_\_
- Declaration
- Power of Attorney
- Assignment / Cover Letter
- Letter to Official Draftsman
- Drawings \_\_\_\_\_ Sheets    Formal    Informal    Red-Ink
- Priority Document(s) \_\_\_\_\_
- Amendment:
  - Transm Ltr    Large Entity    Small Entity
- Response
- Information Disclos Stmt. PTO-1449(s) \_\_\_\_\_ ref(s)
- Notice of Appeal
- Issue Fee Transmittal
- FEES:
- Other: Change of Course;  
Amended filing date

1 P E  
FEB 03 2004  
1 P E pages  
1 P E TRA

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case. COMMISSIONER FOR PATENTS

Due Date: \_\_\_\_\_  
Express Mail Label No. EV339222125US

DOCKETED  
RECEIVED

*[Signature]* FEB 16 2004

BAKERBOTTSLLP

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

**BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER: \_\_\_\_\_**

**IMAGES ARE BEST AVAILABLE COPY.  
As rescanning these documents will not correct the image  
problems checked, please do not report these problems to  
the IFW Image Problem Mailbox.**